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Docket No. 49592

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: D. Williams et al.

SERIAL NO.: 09/506,362

ART UNIT: 1624

FILED: February 15, 2000

EXAMINER: Martin Jr, R

FOR: APOPTOSIS-INDUCING COMPOUNDS

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OFFICE OF PETITIONS

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231

Date: February 21, 2001 By:

Annemarie Serrecchia
Annemarie Serrecchia

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

RESPONSE TO RESTRICTION REQUIREMENT

The following is in response to the Office Action mailed November 20, 2000, in the above referenced application.

Claims 1-19 are pending in the present application, which claims are subject to a restriction requirement. Specifically, restriction to one of the following inventions is required:

- I. Claims 1-19, drawn to compounds, compositions and methods of use where A is O or S, classified in class 540, subclass 544 et seq.
- II. Claims 1-8, 10-15, and 19, drawn to compounds, compositions and methods of use where A is CH₂, classified in class 540, subclass 576 et seq.
- III. Group III: Claims 1-7 and 10-14, drawn to compounds, compositions and methods of use where A is N, classified in class 540, subclass 553 et seq.

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In response, Applicants hereby elect Group 1, i.e. Claims 1-19, drawn to compounds, compositions and methods of use where A is O or S, classified in class 540, subclass 544 et seq., with traverse.

Applicants respectfully submit that a search of Groups II, II and III would not unduly burden the Office (MPEP-803), particularly since each of the three groups is drawn to compounds, compositions and methods of use, classified in a common class (class 540). Applicants respectfully submit that, since a comprehensive search would involve consideration of the subject matter of all three groups, for efficiency, all three groups could be prosecuted at the same time.

In view of the above, Applicants respectfully request reconsideration and withdrawal of the Restriction Requirement. In the event that the Office does not withdraw the Restriction Requirement, Applicants respectfully request rejoinder of the claims following the search.

It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

If for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,



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